

BK 4191 PG 1110

137407

CONSERVATION EASEMENT DEED
EASEMENT AREA "A"

Now comes ARLES, LLC, of P.O. Box 284, Stratham, County of Rockingham, and State of New Hampshire (hereinafter referred to as the "Grantor"), for consideration acknowledged as received, grants to the Town of Stratham, c/o its Conservation Commission, of Stratham, New Hampshire, contributions to which are deductible for Federal Income Tax purposes pursuant to the United States Internal Revenue Code, ("Grantee" including its successors and assigns),

WITH WARRANTY COVENANTS, the following described conservation easement on land in the Town of Stratham, County of Rockingham and State of New Hampshire depicted as Conservation Easement Area "A", on a plan entitled "Easement Plan", Map 1, Lot 5", Jones & Beach Engineers, Inc., more particularly described on Exhibit A attached hereto.

The easement granted herein, subject to the Grantor's reservations listed below are as follows.

A. The easement area shall be preserved as open space consistent with the purposes stated in RSA 79-A:1 and RSA 162-C:6.

2003 NOV 12 PM 1:04

ROCKINGHAM COUNTY
REGISTRY OF DEEDS

C. The right to construct or install and to maintain, repair or replace septic systems and leach fields including pipes or other apparatus related thereto, in connection with the Grantor's buildings and improvements located or to be located on the Grantor's adjacent land.

D. The right to install underground utilities servicing any buildings or improvements located or which may be located on the land of the Grantor abutting or adjacent to the easement property.

E. The right to conduct such snow plowing or related activities within the easement property and the right to use the easement property for the storage of snow.

F. The right to remove or cut any fallen trees, and to remove or trim any overgrown vegetation.

G. The right to conduct any site work consistent with or necessary to the construction of the Grantor's building and improvements located or to be located on the Grantor's property, and as shown on the site development plans approved by the Town of Stratham.

H. The right to maintain any landscaping or signs within the easement property in connection with and as a part of the use of the Grantor's adjacent property.

I. The right to maintain any drainage, drainage structures, storm water detention ponds, swales or other drainage facilities in connection with, and as a part of the use of the Grantor's adjacent property.

J. The right to have reasonable access to the easement property for the purposes of exercising the Grantor's reserved rights.

BK 419 | PG 1114

cure such breach. The Grantee, its successors or assigns may recover the costs and expenses it incurs in curing the breach from the Grantor, its successors or assigns.

D. Nothing contained in this easement shall be construed to entitle Grantee to bring any action against Grantors for any injury to or change in the property resulting from natural events beyond Grantor's control, including, and limited to fire, flood, storm, and earth movement or from any prudent action taken by Grantors under emergency conditions to prevent, abate, or mitigate significant injury to the property resulting from such causes.

Easement Subject to Existing Easement

This easement is subject to and shall not be deemed to affect existing utility easements of record.

IN WITNESS WHEREOF, the said ARLES, INC. has set its hand this 15th day

October, 2003.


Witness

ARLES, LLC

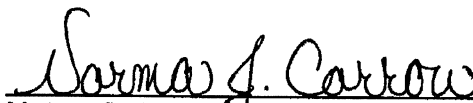
By: 
Duly authorized

STATE OF NEW HAMPSHIRE
ROCKINGHAM, SS

Dated: Oct. 15, 2003

Personally appeared the above named Susan Conway, known to me or satisfactorily proven, to be the MANAGER of ARLES, LLC, and being so authorized subscribed to the foregoing instrument, and acknowledged that he/she executed the same as his/her free act and deed and that of the LLC for the purposes therein contained.

Before me,


Notary Public/Justice of the Peace

Name:

My Commission Expires:

NORMA J. CORROW
NOTARY PUBLIC
STATE OF NEW HAMPSHIRE
My commission expires Apr. 17, 2007

BK4191PG1116

EXHIBIT A
TO
CONSERVATION EASEMENT DEED
AREA "A"

A certain tract or parcel of land situated in the Town of Stratham County of Rockingham and State of New Hampshire and bounded and described as follows.

Beginning at a point at the Southwest corner of the within described premises at land of Ottaway Newspapers, Inc. thence N 38° 18' 50" W, for a distance of 614.89 feet to a point; thence N 89° 12' 39" E, for a distance of 169.26 feet to a point; thence N 88° 41' 51" E for a distance of 68.15 to a point; thence N 89° 28' 55" E, for a distance of 105.26 feet to a point; thence N 87° 57' 03" E, for a distance of 109.14 feet to a point; thence S 89° 06' 27" E, for a distance of 78.33 feet to a point; thence N 17° 44' 08" E, for a distance of 62.12 feet to a point; thence N 09° 56' 02" E, for a distance of 13.02 feet to a point; thence N 12° 58' 10" E, for a distance of 164.50 feet to a point; thence N 11° 44' 15" E, for a distance of 47.42 feet to a point; thence S 76° 03' 32" E, for a distance of 11.28 feet to a point; thence S 82° 46' 18" E, for a distance of 38.14 feet to a point; thence S 73° 16' 56" E, for a distance of 149.42 feet to a point; thence S 75° 12' 02" E, for a distance of 107.27 feet to a point; thence S 75° 16' 12" E, for a distance of 225.65 feet to a point; thence S 73° 36' 45" E, for a distance of 92.42 feet to a point; thence S 77° 25' 39" E, for a distance of 70.61 feet to a point; thence S 75° 44' 17" E, for a distance of 96.78 feet to a point; thence S 74° 32' 37" E for a distance of 45.47 feet to a point; thence S 13° 30' 47" E, for a distance of 338.86 feet to a point; thence S 46° 35' 35" W, for a distance of 180.51 feet to a point; thence S 75° 26' 00" E, for a distance of 295.16 feet to a point; thence S 14° 34' 00" E for a distance of 478.90 feet to a point; thence N 75° 26' 00" W for a distance of 280.68 feet to a point; thence S 37° 20' 44" E for a distance of 29.76 feet to a point; thence along the thread of the Parkman Brook so-called a distance of 685 feet +/-, to the point of beginning.

Meaning and intending to describe Conservation Easement Area "A", consisting of 21.25 +/- acres as shown on a plan entitled "Easement Plan, Map 1, Lot 5" recorded at the Rockingham County Registry of Deeds.

BK 4191 PG 1117

137408

2003 NOV 12 PM 1:04

CONSERVATION EASEMENT DEED
EASEMENT AREA "B"

Now comes ARLES, LLC, of P.O. Box 284, Stratham, County of Rockingham, and State of New Hampshire (hereinafter referred to as the "Grantor"), for consideration acknowledged as received, grants to the Town of Stratham, c/o its Conservation Commission, of Stratham, New Hampshire, contributions to which are deductible for Federal Income Tax purposes pursuant to the United States Internal Revenue Code, ("Grantee" including its successors and assigns),

WITH WARRANTY COVENANTS, the following described conservation easement on land in the Town of Stratham, County of Rockingham and State of New Hampshire depicted as Conservation Easement Area "B", on a plan entitled "Easement Plan, Map 1, Lot 5" Jones & Beach Engineers, Inc., more particularly described on Exhibit A attached hereto.

The easement granted herein, subject to the Grantor's reservations listed below are as follows.

A. The easement area shall be preserved as open space consistent with the purposes stated in RSA 79-A:1 and RSA 162-C:6.

ROCKINGHAM COUNTY
REGISTRY OF DEEDS

BK4191PG1119

C. The right to conduct such snow plowing or related activities within the easement property and the right to use the easement property for the storage of snow.

D. The right to remove or cut any fallen trees, and to remove or trim any overgrown vegetation.

E. The right to conduct any site work consistent with or necessary to the construction of the Grantor's building and improvements located or to be located on the Grantor's property, and as shown on the site development plans approved by the Town of Stratham.

F. The right to maintain any landscaping within the easement property in connection with and as a part of the use of the Grantor's adjacent property.

G. The right to maintain any drainage, drainage structures, storm water detention ponds, swales of other drainage facilities in connection with, and as a part of the use of the Grantor's adjacent property.

H. The right to have reasonable access to the easement property for the purposes of exercising the Grantor's reserved rights.

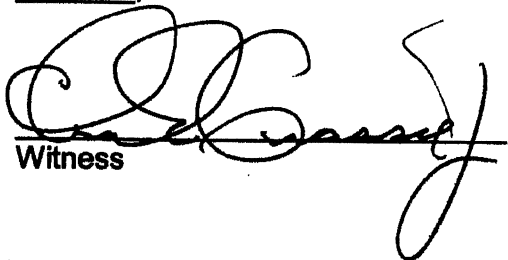
Benefits and Burdens

The burden of the easement conveyed hereby shall run with the property and shall be enforceable against all future owners and tenants in perpetuity; the benefits of said easement shall not be appurtenant to any particular parcel of land but shall be in gross and assignable or transferable only to any qualified organization within the meaning of Section 170(h)(3) of said Code of the State of New Hampshire or the U.S. Government or any subdivision of either of them consistently with Section 170(c)(1) of the U.S. Internal Revenue Code, amended, which government unit or organization has

BK 419 | PG 1121

IN WITNESS WHEREOF, the said ARLES, INC. has set its hand this 15 day

October, 2003.


Witness

ARLES, LLC

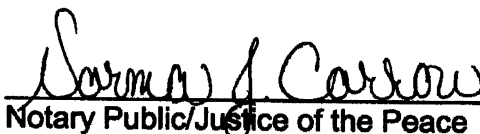
By: 
Duly authorized

STATE OF NEW HAMPSHIRE
ROCKINGHAM, SS

Dated: Oct. 15, 2003

Personally appeared the above named Susan Conway, known to me or satisfactorily proven, to be the manager of ARLES, LLC, and being so authorized subscribed to the foregoing instrument, and acknowledged that he/she executed the same as his/her free act and deed and that of the LLC for the purposes therein contained.

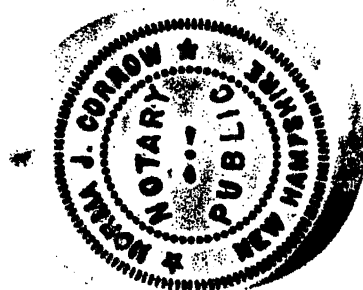
Before me,


Notary Public/Justice of the Peace

Name:

My Commission Expires:

NORMA J. CORROW
NOTARY PUBLIC
STATE OF NEW HAMPSHIRE
My commission expires Apr. 17, 2007



BK4191PG1123

EXHIBIT A
TO
CONSERVATION EASEMENT DEED
AREA "B"

A certain tract or parcel of land, situated in the Town of Stratham, County of Rockingham and State of New Hampshire, and bounded and described as follows.

Beginning at a point, at the Northwest corner of the within described parcel at Map 1, Lot 7-1, being other land of Arles, LLC, thence S 13° 30' 47" E, for a distance of 225.20 feet to a point; thence along a curve with a radius of 93 feet and a length of 111.87 feet to a point; thence S 82° 25' 59" E for a distance of 107.93 feet to a point; thence along a curve with a radius of 272 feet and a length of 169.98 feet to a point; thence N 29° 29' 32" E, for a distance of 414.95 feet to a point; thence N 70° 52' 40" W for a distance of 13.87 feet to a point; thence S 87° 31' 32" W, for a distance of 55.61 feet to a point; thence N 84° 15' 34" W, for a distance of 20.83 feet to a point; thence S 85° 57' 58" W, for a distance of 56.33 feet to a point; thence S 88° 22' 25" W, for a distance of 80 feet to a point; thence S 87° 12' 03" W, for a distance of 135.97 feet to a point; thence N 88° 37' 38" W, for a distance of 149.38 feet to a point; thence N 76° 43' 20" W, for a distance of 84.62 feet to the point of beginning.

Meaning and intending to describe Conservation Easement Area "B" containing 3.18 acres as shown on a plan entitled "Easement Plan, Map 1, Lot 5" recorded at the Rockingham County Registry of Deeds.

BK 419 | PG 1124

137409

2003 NOV 12 PM 1:04

CONSERVATION EASEMENT DEED
EASEMENT AREA "C"

Now comes ARLES, LLC, of P.O. Box 284, Stratham, County of Rockingham, and State of New Hampshire (hereinafter referred to as the "Grantor"), for consideration acknowledged as received, grants to the Town of Stratham, c/o its Conservation Commission, of Stratham, New Hampshire, contributions to which are deductible for Federal Income Tax purposes pursuant to the United States Internal Revenue Code, ("Grantee" including its successors and assigns),

WITH WARRANTY COVENANTS, the following described conservation easement on land in the Town of Stratham, County of Rockingham and State of New Hampshire depicted as Conservation Easement Area "C", on a plan entitled "Easement Plan, Map 1, Lot 5" Jones & Beach Engineers, Inc., more particularly described on Exhibit A attached hereto.

The easement granted herein, subject to the Grantor's reservations listed below are as follows.

A. The easement area shall be preserved as open space consistent with the purposes stated in RSA 79-A:1 and RSA 162-C:6.

ROCKINGHAM COUNTY
REGISTRY OF DEEDS

Grantor's property, and as shown on the site development plans approved by the Town of Stratham.

D. The right to maintain any landscaping within the easement property in connection with and as a part of the use of the Grantor's adjacent property.

E. The right to maintain any drainage, drainage structures, storm water detention ponds, swales of other drainage facilities in connection with, and as a part of the use of the Grantor's adjacent property.

F. The right to construct and maintain any slopes, or rip rap structures within the easement area.


G. The right to have reasonable access to the easement property for the purposes of exercising the Grantor's reserved rights.

Benefits and Burdens

The burden of the easement conveyed hereby shall run with the property and shall be enforceable against all future owners and tenants in perpetuity; the benefits of said easement shall not be appurtenant to any particular parcel of land but shall be in gross and assignable or transferable only to any qualified organization within the meaning of Section 170(h)(3) of said Code of the State of New Hampshire or the U.S. Government or any subdivision of either of them consistently with Section 170(c)(1) of the U.S. Internal Revenue Code, amended, which government unit or organization has among its purposes the conservation and preservation of land and water areas and agrees to and is capable of enforcing the conservation purposes of the easement. Any such assignee or transferee shall have like power of assignment or transfer. In accordance with RSA 162-C:6, under which this Conservation Easement Deed is

BK4191PG1128

IN WITNESS WHEREOF, the said ARLES, INC. has set its hand this 10 day
of October, 2003.



Witness

ARLES, LLC

By: 

Duly authorized

STATE OF NEW HAMPSHIRE
ROCKINGHAM, SS

Dated: Oct. 15, 2003

Personally appeared the above named Susan Conway, known to
me or satisfactorily proven, to be the MANAGER of ARLES, LLC, and being so
authorized subscribed to the foregoing instrument, and acknowledged that he/she
executed the same as his/her free act and deed and that of the LLC for the purposes
therein contained.

Before me,



Notary Public/Justice of the Peace

Name:

My Commission Expires:

NORMA J. CORROW
NOTARY PUBLIC
STATE OF NEW HAMPSHIRE
My commission expires Apr. 17, 2007



BK4191PG1130

EXHIBIT A
TO
CONSERVATION EASEMENT DEED
AREA "C"

A certain tract or parcel of land situated in the Town of Stratham, County of Rockingham and State of New Hampshire and bounded and described as follows.

Beginning at a point on the Northerly corner at land now or formerly of Salema Realty Trust, thence N 68° 34' 30" W, for a distance of 285.23 feet to a point; thence S 15° 19' 15" E, for a distance of 152.52 feet to a point; thence along a curve with a radius of 335 feet and a length of 193.79 feet to a point; thence S 70° 05' 49" E, for a distance of 163.46 feet to a point; thence along the westerly side of Route 108/33 along a curve with a radius of 1980.86 feet and a length of 221.47 feet to a point; thence N 79° 35' 20" W for a distance of 31.60 feet to a point; thence N 59° 50' 40" W, for a distance of 228.57 feet to a point; thence N 36° 28' 25" E for a distance of 213.99 feet to the point of beginning.

Meaning and intending to describe Conservation Easement Area "C" containing 1.89 acres of land, as shown on a plan entitled "Easement Plan, Map 1, Lot 5" recorded at the Rockingham County Registry of Deeds.